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Letter dated 4 October 2017 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council

In my capacity as representative of the Deputy Chairperson of the Assembly of Heads of State and Government of the African Union, I have the honour to transmit to you the communiqué on the situation in South Sudan adopted by the African Union Peace and Security Council at its 720th meeting, held at the ministerial level in New York on 20 September 2017, on the margins of the seventy-second session of the General Assembly (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Sabri **Boukadoum**
Ambassador
Permanent Representative

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Annex to the letter dated 4 October 2017 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué

The Peace and Security Council of the African Union (AU), at its 720th meeting held on 20 September 2017 at the ministerial level, adopted the following decision on the situation in South Sudan:

Council,

1. **Takes note** of the report of the Chairperson of the AU Commission, His Excellency Moussa Faki Mahamat, as well as the briefings made by the AU Commissioner for Peace and Security, Ambassador Smail Chergui and the AU High Representative for South Sudan, former President Alpha Oumar Konaré of Mali. Council also **takes note** of the briefings made by Ethiopia in its capacity as the Chair of the Inter-Governmental Authority on Development (IGAD), the Deputy Chairperson of the Joint Monitoring and Evaluation Commission (JMEC) Amb. Lt. Gen. Augustos Njoroge, and the United Nations (UN) Special Representative of the Secretary General in South Sudan and Head of the UN Mission in South Sudan (UNMISS), Mr. David Shearer. Council further **takes note** of the statement made by the representative of the Transitional Government of National Unity (TGoNU) of South Sudan, Minister of Foreign Affairs Deng Alor Kuol;

2. **Recalls** its previous communiqués and press statements on the situation in South Sudan, especially communiqués PSC/AHG/COMM(DCXXVI), adopted at its 626th meeting held on 19 September 2016 in New York at the level of Heads of State and Government, as well as its communiqué and press statement issued at its 667th and 714th meetings held on 17 March 2017 and 29 August 2017, respectively;

3. **Reiterates its conviction** that the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS) remains the only viable option towards addressing the current political, social, economic and security challenges facing South Sudan and achieve sustainable peace;

4. **Expresses** its profound disappointment over the slow implementation of the ARCSS, thus far, which is having serious consequences on the people of South Sudan;

5. **Stresses** that the situation in South Sudan can no longer be treated in a routine manner and therefore, it is time for Africa to take decisive decisions in order to rapidly put an end to the suffering of the people of south Sudan;

6. **Expresses serious concern** over the unabated continued fighting in South Sudan and calls for the immediate cessation of hostilities. In this regard, Council **strongly urges** all stakeholders, including armed groups, to commit to a permanent ceasefire;

7. **Emphasizes** that there can be no military solution to the crises in South Sudan and **calls upon** the leadership and other stakeholders in the country to demonstrate the required political commitment and will, without which there is no viable alternative;

8. **Commends** the decisions adopted by IGAD, especially the Communiqué of its 31st Extra-ordinary Summit, as well as the Communiques of the IGAD Council of

Ministers held on 2 and 24 July 2017, respectively. Council **expresses its deep appreciation** for the approach taken by the IGAD in initiating a High-level Revitalization Forum, through which a critical review of the status of the implementation of the ARCSS is to be effected, in order to restore a negotiated and permanent cessation of hostilities with the participation of both the signatories and estranged groups as well as the revision of the implementation schedule taking into consideration the necessity to create a conducive environment for the conduct of the post-transition elections;

9. **Strongly urges** all the parties to extend full cooperation to IGAD to ensure full success of the High-Level Revitalization Forum which should develop a clear political strategy for the peace process in South Sudan. In this regard, Council **holds the view** that this process represents a unique window of opportunity, but equally a last chance for the Parties, to really achieve sustainable peace and stability in South Sudan;

10. **Notes with appreciation** the progress made so far in the preparations for the conduct of the National Dialogue which comes as a strategic pillar to facilitate genuine reconciliation and healing in a nation torn apart by recurring violent conflicts. In this context, Council **reiterates** that the National Dialogue must be all-inclusive, independent, and transparent to ensure the credibility and public acceptance of its outcomes. Council **further underscores** that the National Dialogue should compliment and not be perceived as replacement for the full implementation of the ARCSS and the Revitalization process led by the IGAD Council of Ministers;

11. **Underscores the importance** of complementarity and coordination of efforts as well as the importance of avoiding mixed messages to the parties in South Sudan. In this respect Council **stresses** the need to put in place a mechanism for this purpose with a view to not only preventing forum shopping but to ensure that all actors involved in South Sudan speak with "One Voice";

12. **Calls** on the AU High Representative, the IGAD Special Envoy and the UN Special Envoy to convene regular tripartite meetings and subsequently brief the policy organs of the AU, IGAD and UN on the evolution of the situation and offer practical recommendations on what the three institutions should undertake together to give stronger political impetus to the peace process;

13. **Notes with appreciation** the progress achieved in the deployment of the Regional Protection Force (RPF), and **calls upon** both UNMISS and the TGoNU to expedite this process. Council **stresses the imperative** to complete deployment of the RPF as soon as possible, given its critical role in the protection of civilians and larger contribution to peace and stability in the country. Council **underscores the need** for regular communication between the regional Chiefs of Defence, the UN and TGoNU in order to avert any further complications that could delay the deployment of the RPF;

14. **Commends** the outcome of the sustained efforts of the AU High Representative for South Sudan, former President Alpha Oumar Konaré in assisting the South Sudanese parties to bridge their differences and to remain engaged in the search for a peaceful solution to the crisis in their country. **Council notes with appreciation** his engagement with regional and international partners in support of the peace process. In this context, Council **reiterates** the AU's unflinching commitment to supporting the South Sudanese parties, to address and overcome current national challenges;

15. **Further commends** the JMEC Chairperson, and all the JMEC members for their sustained efforts in monitoring and reporting on the status of the

implementation of the ARCSS. Council **expresses** its full support to President Festus G. Mogae's work and efforts to discharge his mandate in a very challenging environment, all in support of restoration of peace in South Sudan;

16. **Welcomes** the efforts by President Yoweri Museveni of Uganda towards facilitating the reunification of different factions of the Sudan People's Liberation Movement (SPLM) aimed at bringing back the much-needed unity and common purpose and **expresses its support** to the initiative. In this context, Council **encourages** the various factions of the SPLM to participate in the process in good faith and reach a compromise in order to create an environment conducive for the full implementation of the ARCSS;

17. **Strongly condemns** all acts of sexual and gender based violence and the recruitment of children into military activities. In this respect, Council **calls on** the TGoNU to immediately initiate full investigations into these alleged crimes and bring perpetrators to book without any further delay;

18. **Calls on** all the parties to allow free and unhindered access of the humanitarian actors to the affected civilian population and, in this regard, **urges** the TGoNU to take full responsibility for ensuring the protection of the civilians and the safety and security of humanitarian workers;

19. **Commends** the neighboring states for providing support and assistance to the growing numbers of displaced people and **calls** on the international community to continue providing assistance to the South Sudanese refugees and the host countries, given the impact on the economies of these countries;

20. **Underlining its conviction** that restoration of peace in South Sudan should not be delayed any further by whomsoever, Council therefore **decides that**:

i. IGAD to provide an update on the progress made with regard to the High-Level Revitalization Forum initiative, as soon as possible, in order for Council to take appropriate measures in support of the decisions of the Forum;

ii. the AU Commission and the TGoNU should urgently conclude the Memorandum of Understanding (MoU) on the establishment of the Hybrid Court in accordance with the time lines as agreed (by December 2017). In this context, calls on TGoNU to ensure the timely domestication of the MoU through the Transitional Legislative Assembly;

iii. the AU Commission should urgently elaborate possible measures and submit them to Council by December 2017, which could be applied against all those that continue to obstruct efforts towards the restoration of peace and security in South Sudan;

iv. steps towards justice should be accompanied by peace, reconciliation and healing due to the complementarity of these processes;

v. the AU High Level Ad hoc Committee on South Sudan, through the facilitation of the AU Commission, convenes a meeting, together with IGAD, at least not later than end of November 2017, in view of the recently launched IGAD Revitalisation Process for the implementation of the ARCSS;

vi. the AU Commission immediately takes the necessary steps to mobilize financial resources and humanitarian assistance in support of the peace process in South Sudan;

vii. should the South Sudanese parties continue to delay the full implementation process of the ACRSS, which in fact constitutes the denial of peace and security for the long suffering people of South Sudan, Council will consider the necessary steps, including sanction measures, that could ensure

effective and efficient implementation of the ACRSS in order to set the country back on track to attain peace, security and development. Such measures shall be considered and taken, bearing in mind the assessment reports of the IGAD-led revitalization process;

21. **Requests** the AU Commission, working together with IGAD and the UN, to provide an update on the evolution of the situation in South Sudan within three months;

22. **Decides** to remain actively seized of the matter.